

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHERYL A. STRAUSS,

Defendant.

CIVIL ACTION
NO. 15-05720

ORDER

AND NOW, this 9th day of December, 2016, upon consideration of the United States of America's Motion for Confirmation of Public Sale (ECF No. 13), it is hereby **ORDERED** that:

1. The motion (ECF No. 13) is **GRANTED** and the public sale held on August 25, 2016 is confirmed;¹
2. The Marshal shall execute and deliver to the United States Department of Agriculture, their successors and assigns ("Purchaser"), a good and sufficient deed, conveying all the rights, title and interest of Cheryl A. Strauss in and to the premises sold located at 3110 Chestnut Hill Road, Pottstown, PA 19464.

¹ The United States of America ("Plaintiff") filed a complaint against Defendant Cheryl A. Strauss ("Strauss") on October 21, 2015, seeking mortgage foreclosure on the property located at 3110 Chestnut Hill Road, Pottstown, PA 19464 ("the Property"). (Pl.'s Compl., ECF No. 1.) The complaint contends that Plaintiff, through the United States Department of Agriculture, loaned \$95,000.00 to Strauss in May of 1991, as evidenced by a promissory note and secured by a mortgage encumbering the Property. (Pl.'s Compl. ¶¶ 3–5, Exs. A–B.) The complaint alleges that Strauss is the record owner of the Property, that she is in default on the loan, and that, as of August 5, 2015, the amount due and owing to Plaintiff is \$167,102.82. (Id. ¶ 10.) Strauss waived service of summons on December 30, 2015. (ECF No. 4.) She has failed to plead or otherwise defend herself in the action.

On March 15, 2016, Plaintiff moved for entry of default pursuant to Federal Rule of Civil Procedure 55(a) and entry of default judgment pursuant to Rule 55(b). (ECF Nos. 5–6.) The Clerk of Court entered default the same day. On April 12, 2016, the Court granted default judgment pursuant to Rule 55(b) and directed the U.S. Marshal to conduct a judicial sale of the property in accordance with 28 U.S.C. § 2001. (ECF No. 9.) After a Notice of Sale was served on Strauss and all lienholders pursuant to Pa. R.C.P. 3129, (ECF No. 13, Ex. C), and due advertisement was posted pursuant to 28 U.S.C. § 2002, (*id.* Ex. A), the public sale was conducted on August 25, 2016, (*id.* Ex. B). The property was sold to the USDA for a bid of \$1.00. (*Id.*, Ex. B.) On October 3, 2016, Plaintiff moved for confirmation of the sale and served notice of its motion on all interested parties, none of whom have objected to the sale. (ECF No. 13.)

3. Jurisdiction is retained for such further orders or decrees as may be necessary.

BY THE COURT:

/s/ Gerald J. Pappert

GERALD J. PAPPERT, J.